
To:	Harvey Packard for email distrib'n	Date:	October 21, 2003
From:	Reid Fisher		
via:	email	cc:	Sylvia Hamilton/SMNA
Subject:	MINUTES – PCAG MEETING OF 09/25/03		

PRESENT: See sign-in roster. Various elected officials and/or their representatives were present, including State Assemblymember (27th Dist.) John Laird, Congresswoman (16th Dist.) Zoe Lofgren's office, Dennis Kennedy (Mayor, City of Morgan Hill), Tom Springer (Mayor, City of Gilroy), and Don Gage (County Supervisor, Dist. 1)

AGENDA: No new items proposed at the meeting outset. Meeting coordinated by Chair Sylvia Hamilton.

Minutes of 8/25/03 Meeting: The minutes were approved as written.

Meeting Day/Time: Holiday conflicts will make rescheduling of the November and December meetings necessary. After polling those present, Sylvia Hamilton offered to research daytime slots available for these two meetings, after which the PCAG will return to its regular slot on the fourth Thursday of each month, 7-9 pm.

Charter and By-Laws: The By-Laws changes have been approved and sent out.

Discussion with Elected Officials – kicked off with brief summary presentations outlining major remaining issues

Presentation – Summary of Perchlorate Contamination Issues: Tracy Hemmeter (Santa Clara Valley Water District) - refer to Powerpoint handout of slides used in talk. Separate handouts were also distributed summarizing: Perchlorate Contamination Cleanup Issues; Perchlorate Contamination and Agriculture; and Perchlorate Contamination and Water Supply.

Wells of a range in size are affected, from single-family to municipal supplies. This area has an unusually high number of small systems.

Water supply issues include: a need to develop certified household (point of use) treatment technologies; a need to develop a certification program for wellhead (point of entry) treatment technologies; a need to complete a comprehensive health risk

assessment on all exposure pathways; and a need to protect all beneficial water uses (e.g. irrigation, stock watering, not just drinking water).

The limits of the contamination plume are not defined in some areas, which will require additional monitoring wells and testing.

The status of the on-site cleanup plans was briefly summarized; the plans are still under development and review, and will likely require flexibility.

Presentation – Agricultural Issues: Greg Van Wassenhove (Santa Clara County Agricultural Commissioner) -

As noted above, a health risk study is needed. In the absence of data, there is a potential for unfounded speculation to severely affect area agriculture.

Recent studies at Texas Tech have found perchlorate in milk, suggesting that ingestion through feed is a significant means of perchlorate uptake.

There is insufficient data regarding the uptake of perchlorate by various crops, and the degree to which this could be then absorbed by people/animals eating those crops. It is not known whether perchlorate tends to preferentially accumulate in certain plant parts.

Comments/Discussion with Elected Officials -

- Sylvia Hamilton (SMNA) expressed frustration that the limits of the plume are still not defined, and that there are no plans yet for cleanup of off-site contamination.
- Ion exchange technology appears promising, although it does not remove all perchlorate. Peter Forest reported that initial results can vary from long-term system performance.
- Tom Mohr (SCVWD) noted that there are logs (description of materials encountered and construction details) available for only about 1 out of every 5 wells known to the District. Olin selected wells for sampling in part on the basis of which wells had available logs. Tom Mohr (SCVWD) stressed that monitoring wells are fundamentally different from production wells; monitoring wells typically have narrow screened intervals while production wells usually maximize the screened interval. More monitoring wells will be needed, especially near the leading edge of the plume.
- Harvey Packard (RWQCB) noted that the Board has issued a directive to Olin: provide sampling/monitoring data for the 3rd quarter of 2003 (due 10/30/03); if the data are insufficient to define the plume, provide a plan detailing how that definition will be obtained.

- Ed Tweese (City Manager, City of Morgan Hill) suggested that briefing handouts be amended to include contamination NE of the Olin site. He noted that the City is already pursuing and operating its own offsite cleanup in order to provide City drinking water.

Assemblymember John Laird made several comments –

- He has asked Senator Barbara Boxer for assistance in getting federal support, either in the form of funding or agency support.
- Perchlorate is a visible issue to legislators - a perchlorate bill has been passed (provisions not detailed here).
- Bills can next be introduced to the legislature in January, 2004, so the next couple of months will be critical for developing bills and/or amendments. As Chair of the Environmental Safety and Toxic Materials Committee, he is in good position to introduce needed measures.
- One promising way to pass measures is to fashion them as “District bills” which affect only one Assembly District. Other legislators will typically defer judgment on these to the affected Assemblymember.

Mayor Tom Springer (City of Gilroy) made several comments –

- He reiterated the need to define the limits of the contamination plume; to develop groundwater cleanup approaches; and to consider approaches to plume containment.
- Mayor Springer suggested a pilot program be instituted in “mutual aid” fashion by affected jurisdictions to develop and test cleanup/treatment technologies, rather than wait for legal action to force this step.
- The South County has been through several relatively dry years, and he expressed concern that a series of wet years could make containment and cleanup more difficult.

Supervisor Don Gage offered comments as well –

- Legislation is needed to tighten the existing regulations. Currently, Olin gets to choose the cleanup system, and has not been quick enough. Gage urged legal strengthening of what the RWQCB can do and mandate. He urged that the RWQCB be empowered to either force Olin to undertake offsite cleanup/treatment, or do it for them and charge them.

Comments by others –

- Cleanup and treatment of offsite groundwater is by far the bigger issue, since most perchlorate has already left the site. It is too easy to focus only on the site itself.
- While providing the RWQCB with heftier enforcement tools is desirable, we should be leery of asking government (ourselves) to assume the burden of cleanup.

RWQCB Status Report (Harvey Packard) –

- The Board has issued a directive to Olin to expand sampling to the S, and to the NE.
- The Board has provided comments on Olin's proposed on-site cleanup plan, and asked that they split apart the soil and water treatment plans.
- Olin's current "45%" design report provides a schematic treatment system calling for pumping of water from 2 depth zones separated by a clayey layer (these zones are roughly 10 – 60 feet below ground surface, and 80 – 110 bgs), thus capturing all water leaching through the site. The water would then be treated, and either reinjected, allowed to re-infiltrate the site, or discharged from the site.
- Feedback from those present expressed general frustration with the apparently slow pace of cleanup, although the onsite cleanup is moving ahead relatively fast compared to other sites. Some attendees felt that "haul-off" of contaminated soil should be re-evaluated as a way to more quickly achieve some level of cleanup.
- Groundwater at the site has been measured as high as 7 feet below ground surface (bgs), and as low as 30 feet bgs.

Site Geology Review (Tom Mohr, SCVWD) –

- Borings have explored to a depth of about 400 feet, encountering bedrock in some wells at or above that depth. The materials overlying bedrock are essentially stream deposits composed about 2/3 of silt and clay, and 1/3 of sand and gravel. As the valley has filled up, the streams have flowed along many different paths. The result of filling the valley this way is that the sand/gravel (through which groundwater and perchlorate move much more rapidly) occurs in many discontinuous lenses rather than continuous layers. Even with lots more wells, our knowledge of groundwater flow patterns will remain fuzzy at best.
- The perchlorate appears to move at the speed of the groundwater. This was originally estimated at 1.5 to 2 feet/day, but is now thought to be about 3 feet/day. This is a long-term rate, so we're unlikely to see a radical "flushing out" of the aquifer during wet years.

Specific Requests for Elected Officials –

Greg Van Wassenhove (County Agricultural Commissioner) requested that the PCAG prepare a letter to the RWQCB and SCVWD, asking that they assist state legislators in identifying changes in legislation that would assist in remediation, and in evaluation of health risks. A motion to prepare the suggested letter passed.

Gary Shallcross (rep. for Assemblymember Laird) requested that the PCAG prepare a letter requesting that Assemblymember Laird work with the PCAG and affected agencies in developing specific action items achievable in a "District bill," such as

facilitating certification of treatment systems, and reviewing available treatment technologies. A motion to prepare the suggested letter passed.

Sylvia Hamilton (SMNA) requested that the PCAG prepare a letter to the RWQCB expressing frustration, and asking that the Board consider stronger means to require Olin to present a cleanup plan for the regional aquifer. [The context for this is that per Tom Mohr (SCVWD), there already has been an information request by the RWQCB in March, 2003, but Olin has not responded to it.] The letter should also request that the RWQCB follow up on an earlier (9/19/03) request that Olin evaluate the feasibility of "haul-off" of contaminated soil from the site. A motion to prepare the suggested letter passed.

The suggested letters are to be circulated to PCAG members before the 10/23/03 meeting, in order to modify/approve them at that meeting. Evelyn Heinrichs offered to assist in preparing the letters.

Upcoming (at time of meeting): Nothing noted.

NEXT PCAG MEETING: *Thurs October 23, 2003, 7 – 9pm at San Martin Lions Club Hall, 12415 Murphy Ave., San Martin.* Agenda items to Sylvia Hamilton (sylvialrs@hotmail.com).

Minutes submitted by Reid Fisher